

FILED

AUG 29 2016

UNITED STATES DISTRICT COURT

for the

Western District of Texas, Pecos Div.

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

United States of America)

v.)

Case No.

P: 16-M-1555

Emma Delia Lujan)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 8/28/2016 in the county of Presidio in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 21 USC Section 841 (a)(1) and Title
18 USC (2).Aided and Abetted by others, Knowingly
and Intentionally Possessed with Intent
to Distribute Marijuana (Approximately
216.2 pounds / 98.1 kilograms.)

This criminal complaint is based on these facts:

See Attachment:

☒ Continued on the attached sheet.[Signature]

Complainant's signature

George C. Greco, Special Agent

Sworn to before me and signed in my presence.

Date: 8/29/2016City and state: Alpine, Texas[Signature]

Judge's signature

David Fannin, US Magistrate Judge

Printed name and title

ATTACHMENT

Defendant:

LUJAN, Emma Delia

FACTS:

On August 28, 2016, Border Patrol Agents (BPA) R. Leyva, R. Vega, C. Petry, J. Rankins, H. Villarreal and his assigned service Canine Bono-C (NFC# 121131), were assigned to the Highway 67 checkpoint, located approximately four miles south of Marfa, Texas.

At approximately 0845 hours, a silver Dodge Grand Caravan bearing Texas plates FFT-9052 approached the primary inspection area. Agent J. Rankins identified himself as a United State Border Patrol Agent (BPA) and asked the driver, later identified as Emma Lujan where she was traveling to today. Lujan responded that she was traveling to Alpine, Texas to visit her mother.

While BPA Rankins was conducting an immigration inspection of the driver, BPA Villarreal and his assigned canine Partner Bono-C conducted a non-intrusive free air sniff of the vehicle. As the vehicle passed, BPA Villarreal noticed Bono-C alert to the vehicle for the presence of concealed humans and/or narcotics. Due to the canine alert, the vehicle was referred to the secondary inspection area for further investigation.

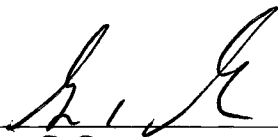
In secondary and once Lujan exited the vehicle BPA Villarreal and his canine partner Bono-C ran another free air sniff of the vehicle. Bono-C alerted to the floor seams and the dashboard area. BPA Villarreal and Leyva then proceeded to search the floor board area and trunk. BPA Villarreal pulled up the lid and carpet of the storage compartments behind the driver and front passenger seats and discovered numerous bundles of cellophane wrapped packages. The wrapping and size of the bundles were consistent with previous seized narcotics at the checkpoint. At this point Lujan was placed under arrest. A thorough search of the vehicle revealed more bundles located in the trunk area and under the vehicle in the natural void where the spare tire would be placed.

One of the bundles was field tested by BPA Villarreal utilizing narco pouch field test number 908 which tested positive for the characteristics of marijuana. The total weight of the marijuana bundles was approximately 216.2 pounds.

At approximately 1030 hours, Special Agent (SA) George Greco responded to the USBP Marfa checkpoint to assist with the investigation. Lujan was read her Miranda Rights, via DEA 13 by SA Greco as witnessed by BPA Leyva. Lujan waived her rights and agreed to speak with agents without the presence of an attorney. Lujan admitted that she was transporting marijuana from Presidio, Texas to Dallas, Texas. Lujan went on to explain that she was in need of money and through an associate was introduced to a Hispanic male in Ojinaga, Mexico known only as "Jefe" on 27 August 2016. Jefe stated

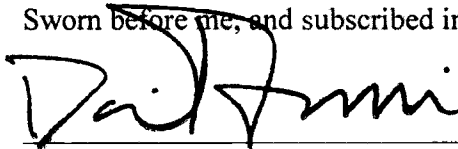
that he would pay Lujan \$5,000.00 US Currency to deliver a vehicle laden with marijuana from Presidio, TX to Dallas, TX. Jefe told Lujan to pick up the vehicle at the Dollar Store located in Presidio, TX the following day at approximately 0800 hours. Jefe then gave Lujan \$200.00 US Currency for gas money and a telephone number to call once she passed through the Marfa checkpoint, once through the checkpoint she would receive further instructions on where and when to deliver the marijuana in Dallas, TX. Lujan entered the United States through the Presidio Point of Entry pedestrian gate at approximately 0730 hours on the morning of 28 August 2016 and walked to the Dollar General Store where a Hispanic male was waiting with the Dodge Caravan. The Hispanic male gave Lujan the keys to the vehicle, stated "good luck" and walked around the corner of the Dollar General Store and out of site.

Lujan stated she then drove from Presidio, Texas to the Marfa Border Patrol Checkpoint whereas she was stopped and the marijuana was discovered in the vehicle she was driving.



August 29, 2016
George C. Greco
Special Agent
Drug Enforcement Administration

Sworn before me, and subscribed in my presence,



David Fannin
United States Magistrate Judge